

REMARKS

This Amendment is being filed in response to the Office Action mailed June 23, 2009, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-3 and 6-13 are pending in the application, where claims 4-6 have been currently canceled without prejudice, and claims 11-13 have been currently added. Claim 1 is independent. Applicant reserves the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

In the Office Action, the Examiner objected to the specification for certain informalities. In response, the specification has been amended to remove the informalities noted by the Examiner, as well as other informalities. Accordingly,

withdrawal of the objection to the specification is respectfully requested.

In the Office Action, the Examiner objected to claim 1 for a certain informality. Without agreeing and to advance prosecution, claim 1 has been amended to remove the alleged informality. Accordingly, withdrawal of the objection to claim 1 is respectfully requested.

In the Office Action, claims 5-6 are rejected under 35 U.S.C. §112, second paragraph. Applicant respectfully traverses this rejection. However, in the interest of advancing prosecution, claims 5-6 have been canceled without prejudice. The cancellation of claims 5-6 renders moot this rejection with regard to these claims.

In the Office Action, claims 1-2 and 5-10 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,952,768 (Strok). Further, claims 3 and 4 are rejected under 35 U.S.C. §103(a) over Strok in view of U.S. Patent No. 4,652,789 (Kawakatsu). Applicant respectfully traverses and submits that claims 1-3 and 6-13, as amended, are patentable over Strok and Kawakatsu for at least the following reasons.

Strok is directed to a metal halide arc tube having an transparent film 58 that reflects infrared radiation. As noted on page 7 of the Office Action, Strok does not disclose or suggest that the interference film 58 includes zirconium oxide ZrO_2 . Kawakatsu is cited in an attempt to remedy the deficiencies in Strok.

Kawakatsu is directed to incandescent lamp with a bulb having IR reflecting film. It is respectfully submitted that the combination of Strok and Kawakatsu is not proper, as Strok is directed to a metal halide arc tube while Kawakatsu is directed to incandescent lamp.

Assuming, arguendo, that the combination of Strok and Kawakatsu is proper, it is respectfully submitted that Strok, Kawakatsu, and combination thereof, do not disclose or suggest the present invention as recited in independent claim 1 which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein one layer of the multilayer interference filter includes at least one of niobium oxide, hafnium oxide, silicon nitride.


These features are nowhere disclosed or suggested in Strok and

Kawakatsu, alone or in combination. Accordingly, it is respectfully requested that independent claim 1 be allowed. In addition, it is respectfully submitted that claims 2-3 and 6-13 should also be allowed at least based on their dependence from independent claim 1 as well as their individually patentable elements.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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